

ORIGINS OF PROPOSED RULES

Proposed Rule	Origin*
CHAPTER 10. GENERAL RULES	
§ 1. Effective Date	7.01
§ 2. Applicability	new
§ 3. Fees and Expenses	new
§ 4. Executive Director	new
§ 5. Definition of Working Days	7.02(A)
§ 6. Computation of Time Periods	7.02(B)
§ 7. Filing	7.03
§ 8. Certificate of Service	NEW PROCESS
§ 9. Official Transcripts	7.06
§ 10. Enlargement of Time Periods.	7.02(C)

CHAPTER 11. BARGAINING UNIT COMPOSITION AND REPRESENTATION MATTERS

REPRESENTATION PETITIONS: PETITIONS TO CREATE OR MODIFY BARGAINING UNITS AND PETITIONS TO HOLD BARGAINING AGENT ELECTIONS

§ 1. Types of Representation Petitions	new
1. Unit Determination Petition	new
2. Election Petition	new
3. Unit Clarification	new
4. Merger Petition	new
5. Petition to Intervene	new
6. Petition to contest exclusionary designation	new
§ 2. Petitions Are Necessary When Parties Disagree	1.02, 3.01(C)
§ 3. When Parties Agree, Petitions Are Not Necessary	
1. Agreement on Bargaining Unit	1.01
2. Voluntary Recognition of Bargaining Agent	3.01
3. Notice to Employees of Agreement or Recognition	1.01(B), 3.01(B)
§ 4. Petitions Are Formal Requests for Board Action	1.03(A), 3.02(D)
§ 5. Who May File Petitions	
1. Unit Determination Petitions	1.02
2. Bargaining Agent Election Petitions	3.02(B)

*A number refers to existing rule; "new" means new rule but existing practice; "NEW PROCESS" means just that; statutory cite used where no existing rule on point.

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3. Decertification Election	2.01
4. Unit Clarification Petition	1.16(A)
5. Petition for Merger Election	26 MRSA §966(4)
6. Petition to Intervene	1.10, 3.02(C)
7. Petition to Contest Designation as Excluded Employee	1.18
§ 6. When to File Petitions	
1. Contract Bar	1.15, 7.08
2. Certification Bar	1.14, 2.05, 3.01
3. Limitation on Unit Clarification Petitions	1.16
§ 7. Contents of Petition	1.03, 2.02, 3.02(E)
1. Petitioner's Name	1.03, 2.02, 3.02(E)
2. Employer's Name	1.03, 2.02, 3.02(E)
3. Bargaining Unit Description	1.03, 2.02, 3.02(E)
4. Collective Bargaining Agreement	1.03, 2.02, 3.02(E)
5. Name of Employee Organizations	1.03, 2.02, 3.02(E)
6. Name of Proposed Bargaining Agent	3.02(E)
7. Other facts	1.03, 2.02, 3.02(E)
8. Remedy Sought	1.03, 2.02, 3.02(E)
9. Employer Petition	1.04
10. Agreement Attempted	1.02
11. Showing of Interest	1.06
12. Unit Clarification Petition	1.16
13. Petition to Contest Designation as Excluded Employee	1.18
§ 8. Showing of Interest	1.06
1. Form of Evidence.	1.06(B)
2. Acceptance of Evidence	1.06(C)
§ 9. Review, Amendment and Action on Petition	1.05, 3.02(G)
1. Grounds for Dismissal	new
2. Order to Show Cause	new
3. Permitted Amendments	1.05(A)
3. Dismissal, Appeal	1.05(B)
4. Notification of Parties	NEW PROCESS
§ 10. Posting of Petition at MLRB Offices and on Internet	1.09(A)
§ 11. Response to Unit Determination Petition	1.08
1. Challenge to Showing of Interest	1.08(B)
2. Disagreement on Appropriateness of Unit	1.08(D)
3. Exclusions Claimed	1.08(E)
§ 12. Response to Unit Clarification Petition	new
§ 13. Response to Election Petition or Decertification Petition	NEW PROCESS
1. Objection to Timeliness of Filing	NEW PROCESS
2. Objection to Showing of Interest	NEW PROCESS
3. Objection to Continued Appropriateness of Barg. Unit	NEW PROCESS

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§ 14. Notices of Hearing and Notices of Election	
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2. Notice of Election	3.05
§ 15. Posting of Notices by Employer	1.09(B), 3.05(B)
§ 16. Posting of Notices at MLRB Offices and on Internet.	1.11(B)
§ 17. Petitions to Intervene	1.10
1. Form and Filing for Intervention	1.10(B)
2. Showing of Interest	1.10(D)
3. Time of Filing	1.10(F)
4. Review of Petition	1.10(H)
5. Notification to Parties	NEW PROCESS
6. Posting of Petition	1.10(I)
7. Withdrawal of Initial Petition	1.10(J)

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§ 21. Notice of Hearing	1.11(A)&(B)
§ 22. Criteria for Appropriate Bargaining Units	
1. Excluded Employees	26 MRSA §966(1), 979-E(1) etc.
2. Units Established by Statute	Univ.Act §1024-A
3. Community of Interest	1.11(F)
§ 23. Conduct of Hearing	1.11(C)(D)
§ 24. Nature of Hearing	1.11(C)(E)
§ 25. Rules Regarding Evidence	1.11(E)
1. Evidence	1.11(E)(1)&(2)
2. Rules of Privilege	1.11(E)(3)
3. Written Evidence; Exception	1.11(E)(4)
§ 26. Rights of Parties	1.11(G)(1)
§ 27. Ex Parte Communications Prohibited	1.11(G)(2)
§ 28. Report and Order	1.11(H)
§ 29. Misconduct at a Hearing	1.11(I)
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§ 51. Void Ballots	3.08(B)
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